

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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: IN RE: WORLD TRADE CENTER
: DISASTER SITE LITIGATION
:

21 MC 102 (AKH)

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: THIS DOCUMENT APPLIES TO ALL CASES
: IN THE WORLD TRADE CENTER
: DISASTER SITE LITIGATION
:-----X

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE
IN CERTAIN ACTIONS AS TO LVI ENVIRONMENTAL
SERVICES, INC. AND LVI SERVICES, INC.**

The parties to the above-captioned consolidated action, through their respective counsel of record, hereby stipulate and agree as follows:

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned, that whereas no party is an infant or an incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the civil actions referenced in Attachment A, be discontinued and dismissed pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii) as against defendants, LVI ENVIRONMENTAL SERVICES, INC. and LVI SERVICES, INC. only, without prejudice and without cost to any party.


IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout the course of litigation which determines that LVI ENVIRONMENTAL SERVICES, INC. and LVI SERVICES, INC. are proper parties to this suit, that plaintiffs may reinstitute the action without regard to the applicable Statute of

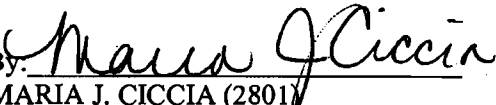
Limitations, assuming said original action was timely commenced, and in such instance defendants shall not assert Statute of Limitation as a defense.

Dated: New York, New York
September 28, 2010

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SO ORDERED: 10-6-10


ALVIN K. HELLERSTEIN, U.S.D.J.

Attachment A

Ivan Calero v. 1 World Trade Center L.L.C. – Index No. 06-cv-01650
Francisco Camino v. Hillman Environmental Group, LLC – Index No. 07-cv-01476
Asdrubal Coello v. Hillman Environmental Group, L.L.C. – Index No. 07-cv-01484
Carlos Fajardo v. Abatement Professionals – Index No. 08-cv-04935
Isaac Hernandez v. Silverstein Properties – Index No. 05-cv-01379
Henryk Jozwiak v. 90 Church Street Limited Partnership – Index No. 08-cv-04939
Mariana Ortega v. Silverstein Properties – Index No. 05-cv-01765
Maximo Pachay v. 1 World Trade Center L.L.C. – Index No. 05-cv-09041
Gabrial Varela v. Abatement Professionals – Index No. 09-cv-02812